

Appl. No. 10/630,211
Amtd. dated February 14, 2005
Reply to Office Action of November 17, 2004

REMARKS

The specification has been amended to correctly reflect the priority of the present application. Claims 1 – 7 are presented as originally filed. Claims 8 – 17 were withdrawn in the preliminary amendment of July 30, 2003.

Please note that although in the body of the Action the Examiner has indicated that the present action is final, in the Office Action Summary, status box 2b has been marked, indicating that the present action is non-final. Clarification is requested.

The Examiner's reference to a restriction requirement appears to refer to such an action on the earlier, parent case. Applicant's representative hereby affirms that only the invention of claims 1 – 7 is being prosecuted in this application. A statement deleting inventors of the withdrawn claims was submitted with the initial filing of this application.

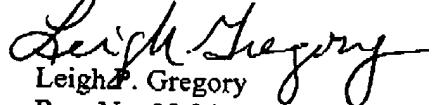
Claims 1 – 7 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 – 20 of U.S. Pat. No. 6,462,169. Accordingly, a terminal disclaimer, signed by the attorney of record, is filed herewith. Thus, it is requested that the Examiner reconsider and withdraw the present rejection.

Accordingly, it is submitted that the present case is in condition for allowance and such action is respectfully requested.

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